

Notice of Allowability	Application No.	Applicant(s)	
	10/705,382	QUEREJETA ET AL.	
	Examiner	Art Unit	
	Alfred Basichas	3749	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to response filed 9/28/05.
2. ☒ The allowed claim(s) is/are 4-9.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☒ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

ALFRED BASICHAS
PRIMARY EXAMINER

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Claims 1-3 have been canceled, as being directed to a patentably distinct invention.

Applicant's election of species II, received on September 28, 2005, is acknowledged.

Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

In claim 8, 2nd line, the term "above-mentioned" has been deleted.

In claim 8, 3rd line, the term "it" has been deleted.

In claim 8, 4th line, the term "its" has been deleted.

In claim 9, 10th line, the term "energising" has been changed to --energizing-- so as to conform to U.S. spelling.

In claim 9, 11th line, the term "since" has been changed to --from--.

REASONS FOR ALLOWANCE

2. The following is an examiner's statement of reasons for allowance:

Applicants claim, among other things, Apparatus for detecting gas combustion adapted to a domestic free-standing gas heater or a water heater provided with a safety valve, a main gas valve and an electronic control unit, the detection apparatus comprising, an mounting bracket for supporting the detection apparatus shaped for fitting on the gas heater or the water heater, a pilot burner with at least one pilot flame for faulty combustion detection, and an igniter incorporated on the support bracket, a thermoelectric generator assembly heated by the pilot flame, supplying through two electric outputs respectively a low voltage for energizing said safety valve, and for detection of combustion deficiencies in the pilot flame, and a higher voltage for powering the main valve and the electronic unit of the gas heater, wherein the thermoelectric assembly is incorporated on said support bracket forming a compact mounting unit with the pilot burner, and includes a flat thermoelectric cell made up with semiconductor P-N junctions, with two sides one hot and one cold, in the form of plates spaced apart from each other, a heat transmitter element licked by the pilot flame and connected to the hot plate, and a heat exchanger connected to the cold plate, wherein the heat transmitter element is formed with a thermal head positioned on the support bracket at a given distance separating it from the pilot burner for the rapid detection of the pilot flame, and with a heat transmission member connected to thermal head separating the flat cell from the flame.

Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bachinski, Brownell, and Shakun all disclose thermoelectric generators reflecting the general background of the art. Nevertheless, the prior art of record, taken alone or in combination therewith, does not disclose nor make obvious the combination as claimed by applicants.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alfred Basichas whose telephone number is 571 272 4871. The examiner can normally be reached on Monday through Friday during regular business hours.

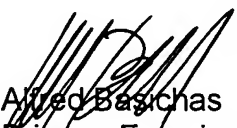
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ehud Gartenberg can be reached on 571 272 4828. The fax phone

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numbers for the organization where this application or proceeding is assigned are 703 872 9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Tech Center telephone number is 571 272 3700.

November 3, 2005


Alfred Basichas
Primary Examiner